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Patent
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Michael SITTINGER, et al.) Group Art Unit: 3733
Serial No.: 10/635,658) Examiner: Philogene, Pedro
Filed: August 5, 2003) Confirmation No.: 8875
For: IMPLANTABLE SUBSTRATES FOR)
THE HEALING AND PROTECTION)
OF CONNECTIVE TISSUE,)
PREFERABLY CARTLIDGE) Customer No.: 34026

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSTISSUE TECHNOLOGIES GMBH, a corporation duly organized under and pursuant to the laws of Germany, having a principal place of business at Tucholskystraße 2 – Charité, 10117 Berlin, holding the entire right, title, and interest to the above-identified application, U.S. Patent Application Serial No. 10/635,658, and U.S. Patent No. 6,602,294, does hereby disclaim the terminal part of any patent granted on U.S. Application Serial No. 10/635,658, which would extend beyond the expiration date of U.S. Patent No. 6,602,294, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 10/635,658, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No.

10/635,658

10/635,658

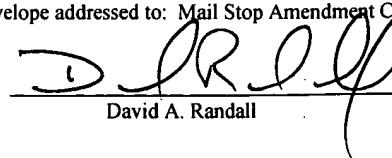
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I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

August 21, 2006
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LAI-2256235v1



David A. Randall

6,602,294, this agreement to run with any patent granted on U.S. Patent Application Serial No. 10/635,658, and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on U.S. Patent Application Serial No. 10/635,658 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,602,294, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record empowered to make this disclaimer and has reviewed copies of all documents in the chain of title in the patent application and the patents identified above. Title is in the assignee identified above.

Respectfully submitted,

JONES DAY

By:



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Dated: August 21, 2006

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